

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

PAMELA G. TORAIN,)	
)	
Plaintiff,)	
)	
v.)	1:17CV816
)	
NANCY BERRYHILL,)	
Acting Commissioner of)	
Social Security,)	
)	
Defendant.)	

ORDER

On August 30, 2018, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed objections (Doc. 17) within the time limit prescribed by Section 636. The Acting Commissioner filed a response. (Doc. 18.)

The court has reviewed Plaintiff's objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 15), which is affirmed and adopted.¹

¹In the objections, Plaintiff contends that the Recommendation relies on additional grounds not invoked by the ALJ. However, the Recommendation relies on the grounds specifically cited by the ALJ and notes the substantial evidence supporting the ALJ's findings. (See also Tr. at 23 (providing specific reasoning and citing Exhibit 16F and Exhibit 13F)). Plaintiff's objections also identify additional evidence in support of her contention that her use of a cane was medically necessary. (Doc. 17 at 10-11.) However, that evidence was considered by the ALJ with respect to the December 2013 consultative examination (Tr. at 17,

IT IS THEREFORE ORDERED that the Commissioner's decision finding no disability is AFFIRMED, that Plaintiff's Motion for Judgment on the Pleadings (Doc. 11) is DENIED, that the Commissioner's Motion for Judgment on the Pleadings (Doc. 13) is GRANTED, and that this action is DISMISSED WITH PREJUDICE.

/s/ Thomas D. Schroeder
United States District Judge

September 30, 2018

413), but as noted in the Recommendation, the ALJ found that "medical records indicated that while [Plaintiff] used a cane and walker prior to her bilateral hip replacements, her gait and mobility were greatly improved following these surgeries" in August and October 2014 (Tr. at 22, 19). Substantial evidence supports the ALJ's conclusions.